

Message Text

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ACTION L-03

INFO OCT-01 EUR-25 NEA-10 IO-14 ISO-00 COA-02 EB-11 OIC-04

CIAE-00 DODE-00 PM-07 H-03 INR-10 NSAE-00 NSC-10

PA-04 RSC-01 PRS-01 SPC-03 SS-20 USIA-15 ACDA-19

AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04 INT-08

JUSE-00 NSF-04 OMB-01 SCI-06 DLOS-06 TRSE-00 EPA-04

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FM AMEMBASSY TEHRAN

TO CUEHC/SECSTATE WASHDC PRIORITY 4318

INFO USMISSION USUN NEW YORK PRIORITY

AMEMBASSY LONDON PRIORITY

C O N F I D E N T I A L TEHRAN 7647

DEPT REPEAT AS DEEMED APPROPRIATE

E.O. 11652: GDS

TAGS: PBOR, IR

SUBJECT: IRAN EXTENDS OFFSHORE TERRITORIAL FISHING LIMITS TO AS
MUCH AS FIFTY NAUTICAL MILES

REF: A-152, OCTOBER 8, 1973

1. THE MINISTRY OF FOREIGN AFFAIRS OCTOBER 30 ISSUED A PROCLAMATION EXTENDING IRAN'S EXCLUSIVE OFFSHORE FISHING ZONE TO EDGE OF CONTINENTAL SHELF IN THE PERSIAN GULF AND TO 50 NAUTICAL MILES IN THE SEA OF OMAN. FISHING AND "RELATED ACTIVITIES" BY FOREIGN NATIONS ARE PROHIBITED IN THE "EXCLUSIVE" FISHING AREA WITHOUT PRIOR OFFICIAL PERMISSION. THE ANNOUNCEMENT WAS MADE BY FOREIGN MINISTER KHALATBARI BEFORE THE MAJLIS, AT WHICH TIME HE REVEALED THE DECLARATION WAS APPROVED BY THE CABINET LAST JUNE 30.

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2. VERBATIM OFFICIAL TEXT (ALTHOUGH REPORTED IN PRESS NOT

OFFICIALLY RELEASED) OF PROCLAMATION, OBTAINED FROM MFA LEGAL ADVISOR EZ-ED-DIN KAZEMI, FOLLOWS:

QUOTE:

--- WHEREAS THE COASTAL COMMUNITIES OF IRAN HAVE THROUGHOUT HISTORY BEEN ENGAGED IN FISHING ACTIVITIES IN THE SEAS ADJACENT TO THE IRANIAN COAST; AND

--- WHEREAS UNDER ARTICLE 7 OF THE LAW OF 12 APRIL 1959 ON THE TERRITORIAL SEA OF IRAN, FISHING AND OTHER RIGHTS OF IRAN BEYOND THE LIMITS OF ITS TERRITORIAL SEA HAVE BEEN REAFFIRMED; AND

--- WHEREAS THE NATURAL RESOURCES OF THE SEAS ADJACENT TO THE IRANIAN COAST ARE OF VITAL IMPORTANCE TO THE ECONOMIC AND SOCIAL PROGRESS OF IRAN;

--- NOW, THEREFORE, IN ORDER TO SAFEGUARD THE FISHING RIGHTS AND INTERESTS OF IRAN IN THE SEAS ADJACENT TO ITS COAST AND THE COASTS OF ITS ISLAND, IT IS HEREBY PROCLAIMED THAT:--

1) THE OUTER LIMITS OF THE EXCLUSIVE FISHING ZONE OF IRAN IN THE PERSIAN GULF SHALL BE THE OUTER LIMITS OF THE SUPERJACENT WATERS OF THE CONTINENTAL SHELF OF IRAN.

A) IN AREAS WHERE THE CONTINENTAL SHELF OF IRAN HAS BEEN DELIMITED UNDER BILATERAL AGREEMENTS WITH OTHER STATES, THE OUTER LIMITS OF THE EXCLUSIVE FISHING ZONE OF IRAN SHALL CORRESPOND TO THE OUTER LIMITS OF THE CONTINENTAL SHELF OF IRAN AS SPECIFIED IN THOSE AGREEMENTS.

B) WHERE THE OUTER LIMITS OF THE CONTINENTAL SHELF OF IRAN HAS NOT YET BEEN DELIMITED UNDER BILATERAL AGREEMENTS, UNLESS OTHERWISE AGREED, THE OUTER LIMITS OF THE SUPERJACENT WATERS OF THE CONTINENTAL SHELF OF IRAN SHALL BE, FOR THE PURPOSE OF DELIMITING THE EXCLUSIVE FISHING ZONE OF IRAN, THE MEDIAN LINE EVERY POINT OF WHICH IS EQUIDISTANT FROM THE NEAREST POINTS OF THE BASELINES FROM WHICH THE BREADTH OF THE TERRITORIAL SEAS OF THE PARTIES CONCERNED ARE MEASURED.

2) THE OUTER LIMITS OF THE EXCLUSIVE FISHING ZONE OF IRAN
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IN THE SEA OF OMAN SHALL BE 50 NAUTICAL MILES FROM THE BASELINE FROM WHICH THE BREADTH OF THE TERRITORIAL SEA OF IRAN IS MEASURED.

IN AREAS WHERE THE EXCLUSIVE FISHING ZONE OF IRAN AND THAT OF ANOTHER COASTAL STATE MAY OVERLAP, UNLESS OTHERWISE AGREED, THE BOUNDARY SHALL BE THE MEDIAN LINE EVERY POINT OF WHICH IS EQUIDISTANT FROM THE NEAREST POINTS OF THE BASELINES FROM WHICH

THE BREADTH OF THE TERRITORIAL SEAS OF THE PARTIES CONCERNED ARE MEASURED.

3) FISHING AND ALL RELATED ACTIVITIES BY NON-IRANIANS IN THE EXCLUSIVE FISHING ZONE OF IRAN ARE PROHIBITED UNLESS PRIOR AUTHORIZATION IS OBTAINED FROM THE GOVERNMENT OF IRAN.

4) THE OUTER LIMITS OF THE EXCLUSIVE FISHING ZONES OF IRAN IN THE PERSIAN GULF AND THE SEA OF OMAN SHALL BE DRAWN ON MARITIME TTQOWRTS.

5) THE PROVISIONS OF THIS PROCLAMATION SHALL BE WITHOUT PREJUDICE TO THE RIGHT OF INTERNATIONAL NAVIGATION EXERCISED IN ACCORDANCE WITH THE RULES AND PRINCIPLES OF INTERNATIONAL LAW.

END QUOTE.

3. FOREIGN MINISTER ANNOUNCED RELEVANT REGULATIONS WOULD BE DRAFTED AND IMPLEMENTED IN DUE COURSE.

4. KHALATBARI GAVE AS RATIONALE FOR EXTENDING FISHING ZONE:

A) IRAN ATTACHED GREAT IMPORTANCE TO THE MARINE WEALTH IN ITS OFFSHORE AREAS;

B) NEW INDUSTRIAL DEVELOPMENTS AND RAPID PROGRESS IN THE FISHING INDUSTRY AS WELL AS POTENTIAL OF THE PERSIAN GULF AND OMAN SEA HAD TEMPTED FOREIGN COUNTRIES TO SEND TRAWLERS TO THE REGION FOR CATCHES, SOME OF WHICH OFTEN SOLD ON THE SPOT; AND C) UN-CONTROLLED FISHING BY LARGE INTERNATIONAL FISHING CONCERNS SERIOUSLY THREATENS THE FISH WEALTH, WHICH RIGHTFULLY BELONGS TO PEOPLES OF COASTAL AREAS. THEREFORE, HE SAID, IN KEEPING WITH SHAH'S WISHES AND PROVISIONS OF LAW (ARTICLE 7 OF LAW OF APRIL 12, 1959) ON OFFSHORE TERRITORIES OF IRAN GOVERNING THE CONTINENTAL
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SHELF, IRAN HAS DECIDED SET ITS OWN FISHING LIMITS.

5. COMMENT: MFA LEGAL ADVISOR KAZEMI STATED HE HAD PREPARED THE PROCLAMATION. WHEN QUERIED BY EMBASSY AS TO MEANING OF "RELATED ACTIVITIES", PARA 3 OF PROCLAMATION'S OPERATIVE SECTION, LEGAL ADVISOR REPLIED IT WAS A PHRASE THROWN IN TO COVER "EVERYTHING CONNECTED WITH FISHING". WHEN ASKED IF THIS PHRASE ENCOMPASSED NON-POLLUTION OF THE WATERS, KAZEMI LAUGHINGLY SAID, "YOU MAY CONSIDER IT DOES IF YOU SO WISH". HE HASTENED TO ADD THAT AT THE TIME HE PREPARED THE DOCUMENT HE HAD IN MIND ONLY THOSE ACTIVITIES RELATED TO FISHING.

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